

### **Remarks**

This reply is submitted in response to the Final Official Action mailed July 9, 2008. In view of the above claim amendments and the following remarks, reconsideration by the Examiner and allowance of the application are respectfully requested.

Claims 1-26 are pending in this application. Claims 1-23 have been allowed, which is gratefully acknowledged. Claims 14 and 15 are objected to on the basis of improper claim dependency. Claims 24-26 are rejected in view of prior art.

Claims 14, 15, 20 and 24 have been amended to more particularly point out and distinctly claim the subject matter applicant regards as the invention. In particular, Claims 14, and 15, have been amended to correct the improper dependency upon Claim 15 by having them depend from Claim 1 instead. This involved a typographical error and does not introduce new matter.

Claim 20 has been amended to correct informalities that involve a typographical error and do not introduce new matter. Claim 24 has been amended to add limitations from Claim 1. This also does not introduce new matter. Claims 25 and 26 have been cancelled.

The amendment overcomes the objection to Claims 14 and 15 and rejection of claims 24-25 in view of the prior art and therefore places the claims in better form for consideration on appeal, for which entry is permitted under 35 C.F.R. §1.116(b)(2). Furthermore, the amendment narrows Claim 24 within a field already searched by the Examiner, so that entry of the Claim 24 amendment does not require a new search or burdensome work on the part of the Examiner.

However, for the reasons submitted below, the claims are in condition for allowance. Reconsideration by the Examiner and allowance of the rejected claims is respectfully requested. The Examiner is requested to telephone the undersigned at the below listed telephone number should there be any issues remaining to be resolved. In the event the Examiner does not consider the application in condition for allowance, entry of the amendment to Claim 24 for consideration on appeal is respectfully requested.

Claims 14-15 are objected for improper dependency. Claims 14 and 15 have been corrected to depend from claim 1. Reconsideration by the Examiner and withdrawal of this objection is respectfully requested.

Claims 24 – 26 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,873,682 to Francke et al. According to the Examiner, Francke et al. teaches an x-ray apparatus with the features defined by Claim 24. This rejection is respectfully traversed in view of the above amendment to Claim 24 for the reasons set forth hereinafter.

Claims 25 and 26 have been canceled. Claim 24 has been amended to incorporate the limitations of Claim 1 considered by the Examiner to patentably define Claim 1 over the state of the art. Claim 24 therefore also patentably defines over the state of the art.

By amending Claim 24 in this manner and canceling Claims 25 and 26, this rejection of Claims 24 – 26 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,873,682 to Francke et al. has thus been overcome. Reconsideration by the Examiner and allowance of Claim 24 is respectfully requested.

In view of the foregoing claim amendment and remarks, this application is in condition for allowance. Reconsideration is respectfully requested. The Examiner is reminded to telephone the undersigned if there are any issues remaining to be resolved. If there are any additional charges in connection with this response, the Examiner is authorized to charge Applicant's Deposit Account No. 50-1943 therefor.

Respectfully submitted,

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